CWP No.378-2004.

26.04.2007 Present: Mr. B.C. Negi, Advocate for the petitioner.

Mr. Ramakant Sharma, Advocate for the respondents.

This litigation is coming to an end on the basis of fair stands adopted by the Management and the workmen.

Mr. Ramakant Sharma submits that the workmen are ready and willing to forego the portion of their back wages in the eventuality of their being posted at Nalagarh with consequential benefit, i.e. seniority. Mr. Bipin Negi appearing on behalf of the management is not adverse to the submission made by Mr. Ramakant Sharma and submits that the payment of the wages has to be bare minimum.

I have considered the pleas raised on behalf of the management as well as workmen. Accordingly, the award dated 21st August, 2003 is modified to the extent whereby the workmen, i.e. Shri Mohinder Pal and Jagdev Chand will be re-engaged forthwith in the capacity of helpers at Nalagarh. The workmen will be entitled to the consequential benefit, i.e. seniority alone w.e.f. the date of their retrenchment from service till the date of their re-engagement to service. The Management is directed to pay a sum of Rs.16,000/- each to mitigate the hardship of the workmen.

Accordingly, the writ petition is disposed of in the aforesaid terms with no order as to costs.

April 26, 2007. **(Rajiv Sharma)**
(sck). **Judge**